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*Plaintiff in pro per*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH P. CUVIELLO and DENIZ  
BOLBOL, individually,

PLAINTIFFS.

v.

ROWELL RANCH RODEO, INC.;  
HAYWARD AREA RECREATION AND  
PARK DISTRICT; HAYWARD AREA  
RECREATION AND PARK DISTRICT  
PUBLIC SAFETY MANAGER/RANGER  
KEVIN HART; ALAMEDA COUNTY  
SHERIFF'S OFFICE; ALAMEDA  
COUNTY DEPUTY SHERIFF JOSHUA  
MAYFIELD; and DOES 1 and 2, in their  
individual and official capacities, jointly and  
severally,

DEFENDANTS.

Case No. 3:23-cv-01652-VC

DECLARATION OF ROBYN  
NEWKIRK IN SUPPORT OF  
PLAINTIFFS' JOINT MOTION FOR  
PARTIAL SUMMARY JUDGMENT

Judge: Hon. Vince Chhabria

I, Robyn Newkirk, declare as follows:

I. I have personal knowledge of the facts declared herein and will competently

1 testify to them if called upon to do so. I am submitting this declaration in support of Plaintiffs'  
2 Motion for Partial Summary Judgment

3 2. I have been an advocate for animal rights for approximately 20 years and attend  
4 protests organized by Pat CuvIELlo and Deniz Bolbol as well as participate in other animal rights  
5 protests, educational outreach efforts and other activities that promote animal welfare. I have  
6 been a volunteer at wildlife rehabilitation center WildCare in San Rafael for 10 years.

7 3. When attending protests organized by Pat and Deniz, my speech and association  
8 focuses on the abuse and mistreatment of animals by rodeos or circuses which is of great public  
9 concern locally, nationally, and internationally. I know that previously Pat and Deniz have had to  
10 go to court to stop other venues from violating free speech rights at protests they organize. I trust  
11 that both Pat and Deniz understand the details of our legal rights to protest peacefully.

12 4. As an advocate for animal welfare, I consider myself an "Animal rights activist,"  
13 and I have signed petitions and taken other actions to encourage the adoption of legislation to  
14 protect animals.

15 5. I have sought and will continue to seek out opportunities to demonstrate at  
16 events that abuse and mistreat animals, like Rowell Ranch Rodeo.

17 6. 2022 was the first time I participated in a protest demonstration at Rowell Ranch  
18 Rodeo. I plan to continue to demonstrate at Rowell Ranch Rodeo Park ("Rodeo Park") in the  
19 future. When at the 2022 protest at the Rodeo Park I held a sign that read, "They Buck From  
20 Pain Caused By the Bucking Straps" and included a large picture of a bull bucking with an arrow  
21 pointing to the bucking strap tightly cinched across the bull's penis and around his hind area.

22 7. While demonstrating, I offer informational leaflets to people with a calm voice,  
23 respectful demeanor, and make direct eye contact. I find this type of one-on-one communication  
24 is the most effective means of communicating my message, including through leaflets.

25 8. I do not block the entrances or exits, nor do I interfere with patrons' and event  
26 staff's ability to enter or exit the venues.

1           9.       When I attended the 2022 protest I found the staff with the rodeo to be hostile  
2 and rude to us because they did not like our messages regarding the abuse of the animals used by  
3 the rodeo. I knew they were staff because they wore identifying shirts with the Rowell Ranch  
4 Rodeo logo.

5           10.      Rodeo staff would repeatedly drive their golf carts close to us. One rodeo  
6 employee, who I now know is Gary Houts, called the police to report us. The way the rodeo  
7 staff acted and treated us made clear to me that they did not like our point of view and did not  
8 want us there.

9           11.      At some point at least four Sheriff deputies arrived. I understood that one Sheriff  
10 Deputy and a man wearing a black shirt with a "Park Ranger, Hayward Area Recreation and  
11 Parks" logo, and "K. Hart, Public Safety Manager" inscribed on his shirt, were working together.  
12 They seemed to be at the Rodeo Park because the Rowell Ranch people didn't like us protesting.  
13 I thought HARD representative Hart was in charge of the Sheriff deputies because he was the  
14 one that came on strong. I thought Hart could arrest us the way he was acting and speaking to us.

15           12.      I recall seeing who I now know to be Alameda County Sheriff Deputy Mayfield  
16 and HARD's Hart speaking to Pat and Deniz. I heard Pat repeatedly ask Deputy Mayfield if the  
17 Deputy would arrest Pat if he did not move. I heard Deputy Mayfield tell Pat he did not have to  
18 tell him if he would be arrested and that Pat needed to move. Based on Deputy Mayfield's  
19 discussion with Pat it appeared we would be arrested. I was concerned hearing the Deputy refuse  
20 to say that he would not arrest Pat because it indicated to me that the threat of arrest was real. I  
21 was afraid of being arrested but as Hart asked each protester if she or he would move I said I  
22 would not leave the area after hearing both Pat and Deniz saying they would not leave the area. I  
23 also know from my previous experience that we were not disobeying the law.

24           13.      It was clear to me that this one main Deputy, Mayfield, and HARD's Hart were  
25 trying to intimidate us because law enforcement officers tend to think they are the law. I had the  
26 impression that HARD's Hart was law enforcement the way he was acting, and Mayfield seemed  
27 like he had a personal vendetta against us, the protesters.  
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2  
3 I make this declaration under penalty of perjury under the laws of the United States of  
4 America, executed this 8th day of May 2024 in Belmont, California.

5  /s/ Robyn Newkirk  
6 Robyn Newkirk  
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